

Overview Of Detection, Note Taking and Testimony



Session Objectives

Upon successfully completing this session, the participant will be able to:

- Describe the three phases of detection.
- Describe the tasks and key decision of each phase.
- Discuss the uses of a standard note taking guide.
- Discuss guidelines for effective testimony.

DWI Detection...



The entire process of identifying and gathering evidence to determine if a suspect should be arrested for a DWI violation.

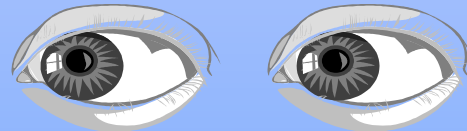
DWI Detection Phases



1. Vehicle In Motion



2. Personal Contact



3. Pre-Arrest Screening



Decisions:



STOP?



EXIT?



ARREST?



Possible Outcomes:

YES - Do it now

WAIT - Look for more evidence

NO - Don't do it

The Arrest Decision is Based on **All Evidence** Accumulated During All Three Detection Phases

Initial Observation of
Vehicle Operation

Observation of
the Stop

Face-to-Face
Observation
and
Interview

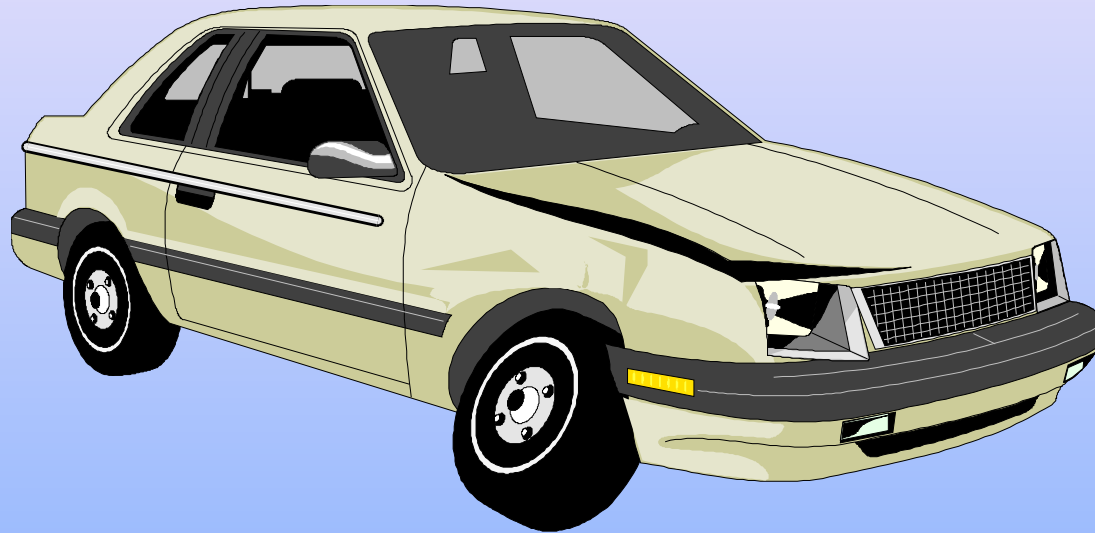
Observation
of the
Exit



Psychophysical
Tests

Preliminary
Breath Tests

Officer Must Be Able To:



- Recognize and interpret DWI evidence
- Describe the evidence clearly and convincingly

DWI Investigation Field Notes

I Name _____ Sex _____ Race _____
Address _____ City/State _____ Op. Lic. No. _____
D.O.B. ____ / ____ / ____ Soc. Sec. # _____
Vehicle Make _____ Year _____ Lic. _____ State _____
Disposition _____ No. Passengers _____
Incident Location _____
Date ____ / ____ / ____ Time _____ Crash ☐ Yes ☐ No

II Vehicle in Motion

Initial Observations _____

Observation of Stop _____

III Personal Contact

Observation of Driver _____

Statements _____

Pre-Exit Sobriety Tests _____

Observation of the Exit _____

Odors _____

GENERAL OBSERVATIONS

Speech_____

—
Attitude_____

—
Clothing_____

Other_____

—

IV Pre-Arrest Screening

Horizontal Gaze Nystagmus

- Equal Tracking ☐ Yes ☐ No
- Equal Pupils ☐ Yes ☐ No

Other _____

- Lack of smooth pursuit
- Distinct nystagmus at maximum deviation
- Nystagmus onset prior to 45 degrees

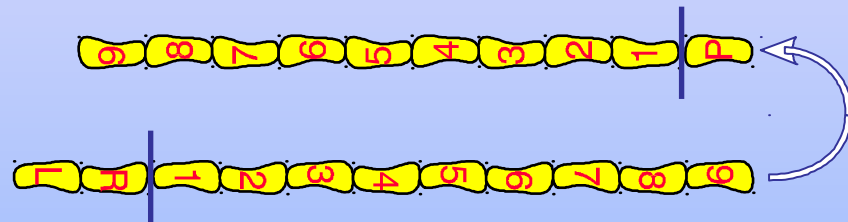
Other _____

Left	Right
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Walk-and-Turn

Instructions Stage

- Cannot keep balance
- Starts too soon



Walking Stage

- Stops walking
- Misses heel-toe
- Steps off line
- Raises arms
- Actual steps taken

First Nine Steps

Second Nine Steps

Improper Turn (Describe) _____

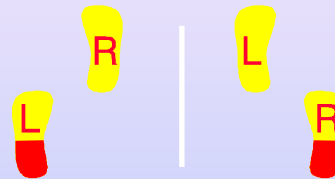
Cannot Do Test (Explain) _____

Other: _____

IV Pre-Arrest Screening (continued)

One Leg Stand

- | L | R | |
|--------------------------|--------------------------|-----------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Sways while Balancing |
| <input type="checkbox"/> | <input type="checkbox"/> | Uses Arms to Balance |
| <input type="checkbox"/> | <input type="checkbox"/> | Hopping |
| <input type="checkbox"/> | <input type="checkbox"/> | Puts Foot Down |



Type of Footwear _____

Other _____

Other Field Sobriety Tests

Name of Test _____

Describe Performance _____

Name of Test _____

Describe Performance _____

Name of Test _____

Describe Performance _____

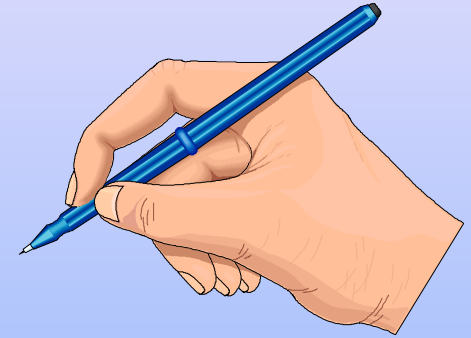
PBT (1) (optional) Time:____ Results:____

PBT (2) (optional) Time:____ Results:____

Preparing Testimony:

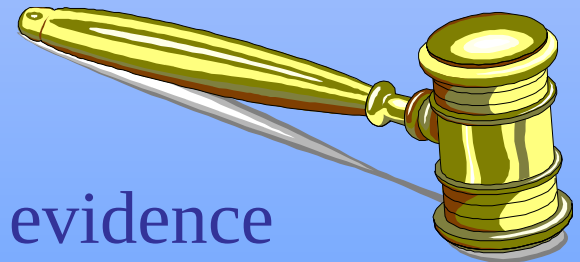
1. At Time Of Incident

- Recognize significant evidence
- Compile complete, accurate notes
- Write complete, accurate report



2. Prior to Trial

- Review notes
- Review case files
- Mentally organize elements and evidence
- Mentally rehearse clear, convincing testimony



Chronology of Testimony

- Initial observations of vehicle
- Observations during stopping sequence
- Face-to-face observations, statements
- Standardized field sobriety tests
- Arrest procedures and admonitions
- Suspect's subsequent actions and statements
- Post-arrest observations
- Request for chemical test(s)
- Administration and results of chemical test(s)
- Interview



Test Your Knowledge

- DWI detection is defined as_____
- The three phases in a typical DWI contact are:
Phase One _____
Phase Two _____
Phase Three _____
- In Phase One, the officer usually has an opportunity to_____

Test Your Knowledge

- Phase Three may not occur if _____
- In Phase Two, the officer must decide _____
- Each major decision can have any one of _____ different outcomes.

These are _____

Test Your Knowledge

- At each phase of detection, the officer must determine _____
- Evidence of DWI is largely _____ in nature.
- Police officers need a system and tools for recording field notes at scenes of DWI investigations because DWI evidence is _____.

Test Your Knowledge

- Testimony preparations begin _____
- List two things the officer should do to prepare testimony just before the trial.
 - A. _____
 - B. _____

Test Your Knowledge

- In court, the officer's testimony should be organized _____
- The conditions and results of the Chemical test are included in the arresting officer's testimony if _____